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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,524	12/20/2001	Seppo Alanara	367.40208X00	2838

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EXAMINER

DOAN, KIET M

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/022,524

**Applicant(s)**

SEPPO ALANARA

**Examiner**

Kiet Doan

**Art Unit**

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5, 8, 9, 11-13, 15, 18 and 19 is/are rejected.  
7) ☒ Claim(s) 6, 7, 10, 16, 17 and 20 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 07 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This office action is response to Amendment file on December 07, 2004.

Claims 1, 3, 5-8, 10-11, 13, 15-18, 20 are amended.

Claims 4 and 14 are cancelled.

Claims **1-3, 5, 8-9, 11-13, 15 and 18-19** are pending and are examined in the instant Office action. This action is made FINAL.

### ***Allowable Subject Matter***

**Claims 6-7, 10, 16-17 and 20** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

1. Applicant's arguments filed 12/07/2004 have been fully considered but they are not persuasive.

In response to applicant's argument in claim 1 and 11 that references fail to description of "said controller is settable by a user to one of a plurality of operational modes including a scanner mode".

Examiner respectfully disagrees. In Beamish et al. reference teaches "said controller is settable by a user to one of a plurality of operational modes including a scanner mode" (C4, L31-67, C5, L1-4 teach the communication device means as cellular phone comprise a control unit which include processing unit which can be set by user of communication device, further Beamish teach wireless communication system send out command to communication device when the device enter the operative range

which means as communication device scan the operative area and change it operating characteristic which can interact with other cellular phone).

Therefore, examiner interpreted "said controller is settable by a user to one of a plurality of operational modes including a scanner mode" is as broadest reasonable interpretation and it is proper.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

**Claims 1-2 and 11-12** are rejected under 35 U.S.C. 102(e) as being anticipated by Beamish et al. (Patent No. 6,694,143).

Consider **claims 1 and 11**, Beamish teach a wireless terminal for communicating with other wireless terminals in a network using wireless signals, comprising: an input device for inputting commands and data; an output device for outputting information; a transmitter/receiver circuit for transmitting and receiving wireless signals (C3, L58-66); and a controller for controlling said input device, said output device and said transmitter/receiver circuit, wherein said controller is settable by a user to one of a plurality of operation modes (C4, L31-67, C5, L1-4) including: a scanner mode which causes said wireless terminal to scan received wireless signals to determine whether identifying wireless signals corresponding to a target device have been received and if

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said identifying wireless signals have been received, outputting via said output device an indication that said wireless terminal is within range of said target device where communications with said target device can be conducted (Abstract, C4, L47-63).

Consider **claims 2 and 12**, Beamish teach a wireless terminal wherein said operation modes further includes: a target mode which causes said wireless terminal to operate as a target device and transmit identifying wireless signals identifying the wireless terminal (C2, L50-65).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 3, 5, 8-9, 13, 15 and 18-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Beamish et al. (Patent No. 6,694,143) in view of Hendrey (Patent No. 6,539,232).

Consider **claims 3 and 13**, Beamish teaches the limitation of claim as discuss above **but fail to teach** a wireless terminal wherein said identifying wireless signals indicates that said target device is associated with predefined information input by users of the target device.

In an analogous art, Hendrey teaches a wireless terminal wherein said identifying wireless signals indicates that said target device is associated with predefined information input by users of the target device (C2, L52-67).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Beamish and Hendrey, such that target device is associated with predefined information input by users of the target device, to provide means for predetermined information of other cell phone before it connection.

**Claim 5 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Beamish et al. (Patent No. 6,694,143) in view of Hendrey et al. (Patent No. 6,539,232) and further view of Shapira (Patent No. 5,086,394).

Consider **claims 5 and 15**. Beamish and hendrey teach the limitation of claim as discuss above **but fail to teaches** a wireless terminal wherein said predefined information includes information concerning the user of the target device including at least one of a name of the user, hobbies of the user, marital status of the user.

In an analogous art, Shapira teaches a wireless terminal wherein said predefined information includes information concerning the user of the target device including at least one of a name of the user, hobbies of the user, marital status of the user (C2, l13-68, C3, L1-68).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Beamish, Hendrey and Shapira

system, such that predefined information includes information concerning the user of the target device including at least one of a name of the user, hobbies of the user, marital status of the user, to provide means for verify the identification of the users.

Consider **claims 8 and 18**, Hendrey teaches a wireless terminal wherein said identifying wireless signals indicates that said target device is associated with predefined information (C2, L50-60, C3, L1-5).

Consider **claims 9 and 19**, Henrey teaches a wireless terminal according to claim 8, wherein said predefined information is input by a user of the target device (C2, L50-58).

### ***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

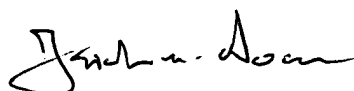
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863.

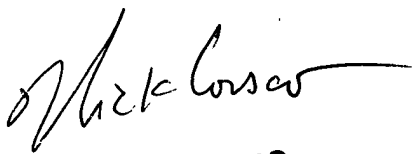
The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kiet Doan  
Patent Examiner



NICK CORSARO  
PRIMARY EXAMINER